

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

PETER N. HANG,	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. H-05-1411
	§	
CITY OF HOUSTON, TEXAS	§	
	§	
Defendants.	§	

**ORDER**

Defendant City of Houston has filed a motion to compel initial disclosures and discovery responses, or in the alternative for an extension of the discovery deadline (Dkt 53). Plaintiff Hang has not filed a timely response.

Hang filed this case in April 2005. After a lengthy abatement due to Hang's poor health, the case was reinstated in late July 2007. At that time, Hang agreed to file initial disclosures by September 1, 2007. At a conference in which Hang's counsel participated, the court issued a scheduling order setting a discovery cut-off date of December 28, 2007. To date, Hang has not served initial disclosures or responded to discovery propounded on August 20, 2007.<sup>1</sup> Hang has not responded to the current motion to compel, which the court takes as an indication of lack of opposition. *See* LOC. R. S.D. TEX. 7.3, 7.4. It is therefore

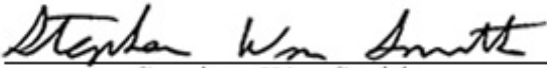
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<sup>1</sup> The City granted Hang an extension of time until October 5, 2007 to provide discovery responses.

ORDERED that the motion to compel (Dkt. 53) is granted. Hang is ordered to serve initial disclosures and responses to the City's interrogatories and document requests on or before November 23, 2007.

Hang is cautioned that failure to timely comply with this order may result in dismissal of his case for failure to prosecute or for discovery abuse.

Signed at Houston, Texas on November 6, 2007.

  
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Stephen Wm Smith  
United States Magistrate Judge